



# Federal Register

---

**7-26-04**

**Vol. 69    No. 142**

**Monday**

**July 26, 2004**

**Pages 44457-44574**



The **FEDERAL REGISTER** (ISSN 0097-6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, [www.archives.gov](http://www.archives.gov).

The seal of the National Archives and Records Administration authenticates the **Federal Register** as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** [www.gpoaccess.gov/nara](http://www.gpoaccess.gov/nara), available through GPO Access, is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

For more information about GPO Access, contact the GPO Access User Support Team, call toll free 1-888-293-6498; DC area 202-512-1530; fax at 202-512-1262; or via email at [gpoaccess@gpo.gov](mailto:gpoaccess@gpo.gov). The Support Team is available between 7:00 a.m. and 9:00 p.m. Eastern Time, Monday–Friday, except official holidays.

The annual subscription price for the **Federal Register** paper edition is \$749 plus postage, or \$808, plus postage, for a combined **Federal Register**, **Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is \$165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register**, including postage, is based on the number of pages: \$11 for an issue containing less than 200 pages; \$22 for an issue containing 200 to 400 pages; and \$33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for \$3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, [bookstore.gpo.gov](http://bookstore.gpo.gov).

There are no restrictions on the republication of material appearing in the **Federal Register**.

**How To Cite This Publication:** Use the volume number and the page number. Example: 69 FR 12345.

**Postmaster:** Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Printing Office, Washington DC 20402, along with the entire mailing label from the last issue received.

## SUBSCRIPTIONS AND COPIES

### PUBLIC

#### Subscriptions:

Paper or fiche 202-512-1800  
Assistance with public subscriptions 202-512-1806

**General online information** 202-512-1530; 1-888-293-6498

#### Single copies/back copies:

Paper or fiche 202-512-1800  
Assistance with public single copies 1-866-512-1800  
(Toll-Free)

### FEDERAL AGENCIES

#### Subscriptions:

Paper or fiche 202-741-6005  
Assistance with Federal agency subscriptions 202-741-6005

### What's NEW!

#### Federal Register Table of Contents via e-mail

Subscribe to FEDREGTOC, to receive the **Federal Register** Table of Contents in your e-mail every day.

If you get the HTML version, you can click directly to any document in the issue.

To subscribe, go to <http://listserv.access.gpo.gov> and select:

*Online mailing list archives*

*FEDREGTOC-L*

*Join or leave the list*

Then follow the instructions.

### What's NEW!

#### Regulations.gov, the award-winning Federal eRulemaking Portal

Regulations.gov is the one-stop U.S. Government web site that makes it easy to participate in the regulatory process.

Try this fast and reliable resource to find all rules published in the **Federal Register** that are currently open for public comment. Submit comments to agencies by filling out a simple web form, or use available email addresses and web sites.

The Regulations.gov e-democracy initiative is brought to you by NARA, GPO, EPA and their eRulemaking partners.

Visit the web site at: <http://www.regulations.gov>



# Contents

## Federal Register

Vol. 69, No. 142

Monday, July 26, 2004

### Agricultural Marketing Service

#### RULES

Nectarines and peaches grown in—  
California, 44457–44460  
Pistachios grown in—  
California, 44460–44461

### Agriculture Department

See Agricultural Marketing Service  
See Animal and Plant Health Inspection Service  
See Forest Service

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 44484–44485

### Air Force Department

#### NOTICES

Privacy Act:  
Systems of records, 44515–44519

### Animal and Plant Health Inspection Service

#### NOTICES

Environmental statements; availability, etc.:  
Genetically engineered organisms; field test permits—  
ProdiGene, Inc.; confined field of corn plants, 44485–44486  
Reports and guidance documents; availability, etc.:  
Foreign animal disease status evaluations process, 44487

### Arts and Humanities, National Foundation

See National Foundation on the Arts and the Humanities

### Centers for Disease Control and Prevention

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 44536–44538

### Children and Families Administration

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 44538–44539

### Commerce Department

See Economic Development Administration  
See Foreign-Trade Zones Board  
See Industry and Security Bureau  
See International Trade Administration  
See National Institute of Standards and Technology  
See National Oceanic and Atmospheric Administration

### Committee for the Implementation of Textile Agreements

#### NOTICES

Cotton, wool, and man-made textiles:  
Macau, 44514–44515

### Copyright Office, Library of Congress

#### NOTICES

Cable royalty funds:  
Cable statutory licenses; Phase I or II controversy  
ascertainment; fees distribution, 44548–44549

### Defense Department

See Air Force Department

#### NOTICES

Meetings:  
Dependents Education Advisory Council, 44515

### Economic Development Administration

#### NOTICES

Grants and cooperative agreements; availability, etc.:  
National technical assistance, training, research, and  
evaluation, 44488–44490

### Education Department

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 44519–44521  
Privacy Act:  
Systems of records, 44521–44524

### Energy Department

See Federal Energy Regulatory Commission

### Environmental Protection Agency

#### RULES

Air quality implementation plans; approval and promulgation; various States:  
California, 44461–44463  
Hazardous waste program authorizations:  
Maryland, 44463–44467  
Superfund program:  
National oil and hazardous substances contingency plan—  
National priorities list update, 44467–44470  
**PROPOSED RULES**  
Hazardous waste program authorizations:  
Maryland, 44481–44482  
Superfund program:  
National oil and hazardous substances contingency plan—  
National priorities list update, 44482

#### NOTICES

Superfund; response and remedial actions, proposed settlements, etc.:  
Malvern TCE Site, PA, 44533–44534

### Executive Office of the President

See Presidential Documents

### Federal Aviation Administration

#### PROPOSED RULES

Airworthiness directives:  
BAE Systems (Operations) Ltd., 44474–44476

### Federal Communications Commission

#### RULES

Radio services; special:  
Maritime services—  
Automated Maritime Telecommunications System;  
stations licensing process, 44471–44472  
Radio stations; table of assignments:  
Alabama and Tennessee, 44470–44471

#### PROPOSED RULES

Digital television stations; table of assignments:  
Washington, 44482–44483

**NOTICES**

Common carrier services:

Video relay services—

Hands On Video Relay Services, Inc.; waiver petitions and clarification request, 44534–44535

**Federal Deposit Insurance Corporation****NOTICES**

Meetings; Sunshine Act, 44535

**Federal Energy Regulatory Commission****NOTICES**

Electric rate and corporate regulation filings, 44525–44527

Electric rate and corporate regulation filings, 44527–44530

Environmental statements; notice of intent:

Northwest Pipeline Corp., 44530–44533

*Applications, hearings, determinations, etc.:*

Bridger Valley Electric Association, Inc., 44525

New York Independent System Operation, Inc., et al., 44525

**Federal Highway Administration****NOTICES**

Environmental statements; availability, etc.:

Los Angeles County, CA, 44564–44565

**Federal Maritime Commission****NOTICES**

Agreements filed, etc., 44535

**Federal Reserve System****NOTICES**

Banks and bank holding companies:

Formations, acquisitions, and mergers, 44535–44536

**Fish and Wildlife Service****NOTICES**

Endangered and threatened species:

Recovery plans—

Red-cockaded woodpecker, 44542–44543

**Foreign-Trade Zones Board****NOTICES**

*Applications, hearings, determinations, etc.:*

Oklahoma—

TPI Petroleum, Inc.; oil refinery complex, 44490

**Forest Service****NOTICES**

Meetings:

Resource Advisory Committee—

Colville, 44487–44488

Resource Advisory Committees—

Tehama County, 44488

**Health and Human Services Department**

*See* Centers for Disease Control and Prevention

*See* Children and Families Administration

*See* Health Resources and Services Administration

**Health Resources and Services Administration****NOTICES**

Meetings:

Heritable Disorders and Genetic Diseases in Newborns and Children Advisory Committee, 44539

**Homeland Security Department****NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 44539–44541

**Housing and Urban Development Department****NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 44541–44542

**Indian Affairs Bureau****PROPOSED RULES**

No Child Left Behind Act; implementation:

No Child Left Behind Negotiated Rulemaking

Committee—

Bureau-funded school system; correction, 44476

**Industry and Security Bureau****NOTICES**

Short supply export controls imposition; petitions:

Copper & Brass Fabricators Council, Inc., et al., 44491–44506

**Interior Department**

*See* Fish and Wildlife Service

*See* Indian Affairs Bureau

*See* Land Management Bureau

*See* Minerals Management Service

*See* Reclamation Bureau

**Internal Revenue Service****PROPOSED RULES**

Estate and gift taxes:

Qualified interests, 44476–44480

**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 44565–44568

**International Trade Administration****NOTICES**

Countervailing duties:

Stainless steel plate in coils from—

Italy, 44506

Export trade certificates of review, 44506–44507

Overseas trade missions:

2004 trade missions—

Consumer Goods Trade Policy Mission, Beijing, China, 44508–44509

Franchising Trade Mission, Dublin, Ireland, 44507–44508

**Labor Department**

*See* Mine Safety and Health Administration

**Land Management Bureau****NOTICES**

Alaska Native claims selection:

Atxam Corp., 44543–44544

Closure of public lands:

New Mexico, 44544

Environmental statements; record of decision:

South Powder River Basin Coal Area, WY, 44544

Oil and gas leases:

Wyoming, 44544–44545

Realty actions; sales, leases, etc.:

Utah, 44545–44546

**Library of Congress**

*See* Copyright Office, Library of Congress

**Millennium Challenge Corporation****NOTICES**

Reports and guidance documents; availability, etc.:  
Millennium Challenge Account Eligibility; eligible countries; list, 44549–44551

**Minerals Management Service****NOTICES**

Outer Continental Shelf operations:  
Alaska region—  
Oil and gas lease sales, 44546

**Mine Safety and Health Administration****PROPOSED RULES**

Coal mine safety and health:  
Underground mines—  
Low-and medium-voltage diesel-powered electrical generators, 44480–44481

**National Archives and Records Administration****NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 44551–44552  
Committees; establishment, renewal, termination, etc.:  
Presidential Libraries Advisory Committee, 44552

**National Foundation on the Arts and the Humanities****NOTICES**

Meetings:  
Combined Arts Advisory Panel, 44552

**National Institute of Standards and Technology****NOTICES**

Information processing standards, Federal:  
Data encryption standard; proposed withdrawal, 44509–44510  
Reports and guidance documents; availability, etc.:  
World Trade Center Disaster; Federal Building and Fire Safety Investigation; floor system fire test viewing opportunity, 44510–44511

**National Oceanic and Atmospheric Administration****RULES**

Fishery conservation and management:  
Alaska; fisheries of Exclusive Economic Zone—  
Gulf of Alaska other rockfish, 44472–44473  
Gulf of Alaska pelagic shelf rockfish, 44473

**NOTICES**

Endangered and threatened species:  
Anadromous fish take—  
Northwest Fisheries Science Center et al.; Pacific salmon and steelhead, 44511–44512  
Fishery conservation and management:  
Caribbean, Gulf, and South Atlantic fisheries—  
Red snapper; meetings, 44512–44513  
Meetings:  
Sea turtle handling and release techniques in Atlantic Ocean, including Gulf of Mexico and Caribbean Sea; workshops, 44513  
Permits:  
Marine mammals, 44514

**National Science Foundation****NOTICES**

Antarctic Conservation Act of 1978; permit applications, etc., 44552

**Nuclear Regulatory Commission****NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 44552–44553  
Meetings:  
Reactor Safeguards Advisory Committee, 44553–44554  
*Applications, hearings, determinations, etc.:*  
Virginia Electric and Power Co., 44553

**Pension Benefit Guaranty Corporation****NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 44554

**Presidential Documents****EXECUTIVE ORDERS**

Committees; establishment, renewal, termination, etc.:  
Emergency Preparedness and Individuals with Disabilities, Interagency Coordinating Council on; establishment (EO 13347), 44571–44574

**Reclamation Bureau****NOTICES**

Contract negotiations:  
Tabulation of water service and repayment; quarterly status report, 44546–44548

**Securities and Exchange Commission****NOTICES**

Public Company Accounting Oversight Board:  
Public accounting firms; registration system, 44555–44563  
*Applications, hearings, determinations, etc.:*  
Universal Display Corp., 44554–44555

**Small Business Administration****RULES**

HUBZone Program:  
Miscellaneous amendments  
Correction, 44461

**NOTICES**

Disaster loan areas:  
New Jersey, 44563

**State Department****NOTICES**

International Traffic in Arms regulations; statutory debarment, 44563–44564  
Meetings:  
International Communications and Information Policy Advisory Committee, 44564

**Textile Agreements Implementation Committee**

*See* Committee for the Implementation of Textile Agreements

**Transportation Department**

*See* Federal Aviation Administration  
*See* Federal Highway Administration

**Treasury Department**

*See* Internal Revenue Service

**Veterans Affairs Department****NOTICES**

Inventions, Government-owned; availability for licensing, 44568–44569  
Privacy Act:  
Systems of records, 44569–44570

---

**Separate Parts In This Issue****Part II**

Executive Office of the President, Presidential Documents,  
44571–44574

---

**Reader Aids**

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, reminders, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, go to <http://listserv.access.gpo.gov> and select Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings); then follow the instructions.

---

**CFR PARTS AFFECTED IN THIS ISSUE**

---

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

**7 CFR**

916.....44457  
917.....44457  
983.....44460

**13 CFR**

121.....44461

**14 CFR****Proposed Rules:**

39.....44474

**25 CFR****Proposed Rules:**

30.....44476  
37.....44476  
39.....44476  
42.....44476  
44.....44476  
47.....44476

**26 CFR****Proposed Rules:**

25.....44476

**30 CFR****Proposed Rules:**

75.....44480

**40 CFR**

52.....44461  
271.....44463  
300.....44467

**Proposed Rules:**

271.....44481  
300.....44482

**47 CFR**

73.....44470  
80.....44471

**Proposed Rules:**

73.....44482

**50 CFR**

679 (2 documents) .....44472,  
44473